

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40507 of 2020

Arising Out of PS. Case No.-534 Year-2020 Thana- AHYAPUR District- Muzaffarpur

MUKESH SAHNI S/o Kishori Sahani R/o Village- Vijai Chhapra, P.S.-
Ahiyapur, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Ms. Sangeeta Sharma

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-07-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 27.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Ahiyapur P.S. Case no. 534 of 2020, registered under Sections 272 and 273 of the Indian Penal Code and Section 30(a) and 36 of the Bihar Prohibition and Excise Act.

The accusation is that on receiving secret information about concealing of liquor, after digging the soil, in village-Vijay Chhapra by Mukesh Sahni (Petitioner), the informant along with other Police personnel reached there. On



seeing the Police party, one person started fleeing, while he was chased, but he succeeded to flee away. On query, villagers disclosed the name of petitioner, who succeeded to flee away. On search, 32.250 litres of Indian Made Foreign Liquor, kept in plastic sack, recovered from a field situated behind the house of petitioner.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the alleged bottles of Indian Made Foreign Liquor did not recover from the house of petitioner, rather, the same has been recovered from the field situated behind the house of petitioner. Further submission is that petitioner has no criminal antecedent and due to dirty village politics, he has falsely been implicated in this case mere on suspicion.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Ahiyapur P.S. Case No. 534 of 2020, subject to the condition as laid down under Section



438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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